



# U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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## ***News Advisory***

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## **Sensenbrenner Highlights PATRIOT Act Conference Report Civil Liberty Safeguard #3**

WASHINGTON, D.C. – House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) today highlighted another one of the dozens of civil liberties safeguards included in the PATRIOT Act conference report approved last month by a bipartisan majority of the House and pending before the U.S. Senate.

### **PATRIOT Act Conference Report Civil Liberty Safeguard #3 – Explicitly Allowing a FISA Court Judge to Deny or Modify a Section 215 Request:**

Section 215 of the PATRIOT Act authorizes the Director of the Federal Bureau of Investigation or a designee of the Director to apply to the Foreign Intelligence Surveillance Act (FISA) Court for an order requiring the production of any tangible things (including books, records, papers, documents, and other items) for a foreign terrorism or spy investigation. This authority provides counterterrorism and law enforcement officials a helpful and less invasive tool to both uncover what activities suspected terrorists or spies are engaged in and clear innocent people suspected of terrorism or spying.

Under current law, upon receiving the Section 215 application, the FISA Court judge must approve or modify the order; the current law does not include specific authority for the court to deny an application. **The PATRIOT Act conference report explicitly provides a FISA Court judge the discretion to not only approve or modify a Section 215 application, but also to deny an application.** This civil liberty safeguard contained in the conference report does not exist under current law.

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